

United States District Court
(Southern - Western)

Edward Smith

V

Anthony J. Brigand

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST DIV CINCINNATI

2004 SEP 21 PM 1:40

Civil Case No. 1:01CV814 SJD
District Judge Susan J. Dlott
Motion for Reconsideration
6th Amendment U.S. Const.
Ineffective Assistance
of Counsel-Direct Appeal
4,5th Amendment Claim

Motion and Memorandum in Support

Now comes Edward Smith, petitioner, pro se, and hereby moves this Honorable Court to reconsider its decision denying the Petitioner for Writ of Habeas Corpus on his 6th Amendment claim pertaining to his 4,5th Amendment direct appeal to the United States Constitution *Evitts v. Lucey* 469 U.S. 387, 396, 105 S. Ct. 830, 83 Led 2d 821 (1985).

The Petitioner rely on the facts presented in his motion for reconsideration of his 4,5th Amendment claim to the United States Constitution, filed with prison officials for 1st Class postage prepaid, (Sept 13-04) ^{Sept 14-04}

Proof of Service

I Edward Smith file motion with prison official 1st class postage prepaid to:

THELMA T. PRICE ASS'T OH. ATT. GENERAL
150 EAST GAY ST. 16th Floor
Columbus OH 43215
ON THIS 16th of Sept. 2004

Respectfully Submitted
Edward Smith, petitioner

Edward Smith, petitioner
346-408 Warren Coa.
Inst. P.O. Box 120 Lebanon OH
45036

Edward Smith, petitioner
Edward Smith, petitioner
(Same address as above)